

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

PETER JULIAN DEPAOLA,

Debtor.
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Chapter 7

Case No. 23-42634 (NHL)

**ORDER COMPELLING THE DEBTOR AND HIS WIFE, LOREDANA DEPAOLA, TO
GRANT THE TRUSTEE AND HIS PROFESSIONALS ACCESS TO THE PROPERTY,
KNOWN AS, AND LOCATED AT, 7921 NARROWS AVENUE, BROOKLYN, NEW
YORK TO CONDUCT AN OPEN HOUSE IN ADVANCE OF THE 363 SALE**

Upon the motion (“Motion”) [ECF No. 145]¹ of Gregory M. Messer, solely in his capacity as the Chapter 7 Trustee (“Trustee”) of the Debtor’s bankruptcy estate, by his counsel, LaMonica Herbst & Maniscalco, LLP, seeking the entry of an Order, pursuant to Bankruptcy Code sections 521, 541 and 542 and Bankruptcy Rules 2002, 6004 and 9014, compelling the Debtor and his Wife, Loredana DePaola, to grant the Trustee and his professionals, including, his retained broker, Maltz, access to their Property, known as, and located at, 7921 Narrows Avenue, Brooklyn, New York to conduct an open house in advance of the 363 Sale and related relief; and upon the *ex parte* application (“Application”) [ECF No. 146] seeking entry of an Order (“Scheduling Order”) pursuant to Bankruptcy Rule 9006(c) and Local Rule 9077-1 shortening the time for the Trustee’s Motion, which sets forth the basis for the hearing request on shortened notice; and upon the Affirmation of Jacquelyn S. Loftin, Esq. pursuant to Local Bankruptcy Rule 9077-1 in support of the Application; and upon the Court having entered the Scheduling Order on May 15, 2025 [ECF No. 147]; and upon the Trustee having served the Motion and Scheduling Order on all necessary parties in accordance with the Scheduling Order, with the affidavit of service having been filed with the Court [ECF No. 148]; and upon the Court having conducted a hearing on the Motion on

¹ Capitalized terms not otherwise defined herein shall have the definition ascribed to them in the Motion.

May 22, 2025 at 3:00 p.m. (“Hearing”), at which the Trustee and his counsel appeared, and the Debtor and his Wife appeared, *pro se*; and for the reasons set forth on the record at the Hearing, the transcript of which is incorporated herein by reference; it is hereby; it is hereby

ORDERED, that the relief requested in the Motion is granted as set forth herein; and, it is further

ORDERED, that the Debtor and the Wife are directed to grant the Trustee and his retained professionals, including, but not limited to, Maltz, access to the Property to conduct an open house on the following dates: (i) the first open house shall be conducted on Friday, May 30, 2025, from 10:00 a.m. to 1:00 p.m.; and (ii) the second open house shall be conducted on Thursday, June 5, 2025 from 10:00 a.m. to 1:00 p.m.; and, it is further

ORDERED, that Debtor and the Wife are directed to cooperate with the Trustee throughout the administration of the estate and the 363 Sale process; and, it is further

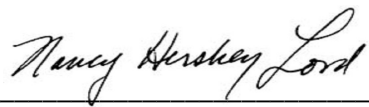
ORDERED, that the Trustee reserves all rights if the Debtor fails to fully comply with the terms of this Order; and, it is further

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ORDERED, this Court shall retain jurisdiction to: (i) interpret and construe and enforce the provisions of this Order and any ancillary documents in connection therewith; (ii) hear and determine any disputes arising under or related to the foregoing; and (iii) enforce the provision of this Order.

Dated: May 27, 2025
Brooklyn, New York





Nancy Hershey Lord
United States Bankruptcy Judge